

*Revised  
5/11/15*

# Wetlands Bureau Decision Report

Decisions Taken  
05/04/2015 to 05/10/2015

## **DISCLAIMER:**

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## **APPEAL:**

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or at [appeals@des.nh.gov](mailto:appeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

## MAJOR IMPACT PROJECT

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### 2015-00047                      BETH C MARCOUX TRUST AGREEMENT ALTON   Lake Winnepesaukee

#### Requested Action:

Remove 1,146 sq. ft. of breakwater and a cantilevered dock, fill 612 sq. ft. of lake bed to construct 48 linear ft. of breakwater, in an "slight dogleg" configuration, with a 6 ft. gap at the shoreline and two 6 ft. x 33 ft. crib piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and install a 14 ft. x 30 ft. seasonal canopy over the center slip on an average of 130 ft. of frontage along Lake Winnepesaukee, in Alton.

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#### APPROVE PERMIT:

Remove 1,146 sq. ft. of breakwater and a cantilevered dock, fill 612 sq. ft. of lake bed to construct 48 linear ft. of breakwater, in an "slight dogleg" configuration, with a 6 ft. gap at the shoreline and two 6 ft. x 33 ft. crib piers connected by a 6 ft. x 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and install a 14 ft. x 30 ft. seasonal canopy over the center slip on an average of 130 ft. of frontage along Lake Winnepesaukee, in Alton.

#### With Conditions:

1. All work shall be in accordance with plans by White Mountain Survey and Engineering Inc. revision dated April 8, 2015, as received by the Department on April 14, 2015.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. These shall be the only structures on this water frontage and all portions of the structures, including the breakwater toe of slope, shall be at least 20 ft. from the abutting property lines or the imaginary extension of those lines into the water.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
7. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
8. The breakwater shall not exceed 3 feet in height (Elev. 507.32) over the normal high water line (Elev. 504.32).
9. The width as measured at the top of the breakwater (Elev. 507.32) shall not exceed 3 feet. 10. Rocks may not remain stockpiled on the frontage for a period longer than 60 days.
11. Photos showing that all construction materials have been removed from the temporary stockpile area shall be submitted to the Bureau upon completion of the docking facility.
12. All rock from the pre-existing breakwater not utilized in the construction of the new breakwater shall be removed from the jurisdiction of the Wetlands Bureau.
13. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
14. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
15. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.
16. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

#### With Findings:

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.
3. The applicant has an average of 130 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Env-Wt 402.13.
6. DES finds that a public hearing is not required under RSA 428-A:8 because the project is not of substantial public interest and will not have a significant impact on or adversely affect the values of Lake Winnepesaukee as identified under RSA 482-A:1.

-Send to Governor and Executive Council-

**2015-00158                      COBURN, BARBARA ANN/RONALD**  
**MEREDITH   Lake Winnepesaukee**

**Requested Action:**

Dredge 25 cu. yd. from 800 sq. ft. of lakebed and excavate 865 sq. ft. along approximately 42 linear ft. of shoreline to construct a 22 ft. x 32 ft. dug-in, single slip boathouse, with a 15 in roof overhang northerly of an existing 8 ft. x 40 ft. crib dock on an average of 325 feet of shoreline frontage along Lake Winnepesaukee, in Meredith.

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**Conservation Commission/Staff Comments:**

No comments from local Con Com by March 06, 2015

**APPROVE PERMIT:**

Dredge 25 cu. yd. from 800 sq. ft. of lakebed and excavate 865 sq. ft. along approximately 42 linear ft. of shoreline to construct a 22 ft. x 32 ft. dug-in, single slip boathouse, with a 15 in roof overhang northerly of an existing 8 ft. x 40 ft. crib dock on an average of 325 feet of shoreline frontage along Lake Winnepesaukee, in Meredith.

**With Conditions:**

1. All work shall be in accordance with revised plans by Ames Associates dated April 3, 2015, as received by the NH Department of Environmental Services (DES) on April 13, 2015.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.
3. The use of this boathouse shall be limited to the storage of boats and boating-related accessories.
4. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
5. The boathouse shall be a single-story structure; ridgeline not to exceed 20 ft. in height (Elev. 524.32) above normal high water (Elev. 504.32).
6. Dewatering of work areas and dredged materials shall be discharged to sediment basins located in uplands and lined with hay bales or other acceptable sediment trapping liner.
7. All dredged and excavated material and construction related debris shall be placed outside of the areas under the jurisdiction of the DES Wetlands Bureau.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
9. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain in place until suspended particles have settled and water at the work site has returned to normal clarity.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The owner understands and accepts the risk that if there is deposition of sediment within the dug-in basin, to such an extent that

a slip depth of 3 ft. as measured at normal high water cannot be maintained for at least 6 years, or the accumulation of sediment in the dug-in basin is shown to have an adverse impact on abutting frontages, the dug-in boathouse shall be subject to removal and the shoreline shall be restored to preconstruction conditions.

12. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.

13. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02(g) removal of more than 20 cubic yards of rock, gravel, sand, mud, or other material from public waters.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 325 feet of shoreline frontage along Lake Winnepesaukee.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The proposed docking facility and existing docking structures will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.
8. The applicant submitted plans relocating the boathouse further from the abutter's property to address the abutter's concerns and provide the least impacting alternative.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The Bureau has received no evidence of sand migration along this shoreline.

-Send to Governor and Executive Council-

**2015-00243                      MCKERLEY HEALTH CARE CENTERS INC  
LANCASTER   Connecticut River**

**Requested Action:**

Dredge and fill 36,800 square feet (790 linear feet) of the bed and bank of the Connecticut River to stabilize the bank with rip-rap and live stake plantings.

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**APPROVE PERMIT:**

Dredge and fill 36,800 square feet (790 linear feet) of the bed and bank of the Connecticut River to stabilize the bank with rip-rap and live stake plantings.

**With Conditions:**

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates (sheets 2-8; 10 of 10) as received by the NH Department of Environmental Services (DES) on March 26, 2015 and sheet 9 as received by the NH Department of Environmental Services (DES) on May 05, 2015.
2. No work shall occur in or near the bank swallow nesting site from April 15 to July 31.
3. Live stakes shall be planted along the entire length of the proposed project.
4. A 35 foot wide no-cut vegetative buffer along the riverbank shall be maintained and identified with permanent markers.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no

turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

7. Work shall be done during low flow.

8. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.

9. A follow-up report shall be submitted to the Wetlands Bureau within 60 days of the completion of construction and after two full growing seasons.

10. The river bank plantings shall have at least 75% successful establishment after two (2) growing seasons, or it shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.

11. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction. Areas from which vegetation has been cleared to gain access to the site shall be replanted with like native species.

12. Construction equipment shall not enter the surface water and shall conduct work from the adjacent banks and upland areas.

13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

14. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

15. Exposed earth should be covered with straw or jute material prior to any predicted rain events.

16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

18. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

19. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired immediately.

20. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

21. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

22. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

#### With Findings:

1. This is a major impact project per Administrative Rule Env-Wt 303.02(i) Projects that alter the course of or disturb 200 or more linear feet of an intermittent or perennial nontidal stream or river channel or its banks.

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. The applicant has indicated that there are safety concerns due to the proximity of the healthcare and rehabilitation facility.

6. High flow conditions in the river have caused multiple washouts of the embankment, causing loss of land and unstable soil conditions.

7. A Professional Engineer stated vegetative stabilization is not practical due to the anticipated river velocities.

8. The project design includes the planting of live stakes on the bank and a 35 foot no cut riparian buffer that will be planted with 30 shrubs and 30 trees.

9. A survey of the project area documented one live dwarf wedgemussel in the main River channel about 175 feet from the New Hampshire shoreline and 275 feet downriver of the project impact area.

10. The US Fish & Wildlife Service commented that they do not anticipate direct adverse effect to dwarf wedgemussels.

11. The US Fish & Wildlife Service commented that bank swallows and/or kingfishers may be nesting at the top of bank.

Construction in the area should not occur during the breeding season of mid-April through the end of July in order to avoid impacting the nesting adults and chicks.

12. In a letter dated February 24, 2015 The Connecticut River Joint Commissions Riverbend Subcommittee stated that they have no specific comment on the actions proposed.

**2015-00590                      FABIAN, LESLIE**  
**ALTON   Lake Winnepesaukee**

**Requested Action:**

Fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in an "slight dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton.

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**Conservation Commission/Staff Comments:**

3/19/15 Con Com requests action be suspended action for 40 days or until receiving a written report.

4/13/15 Con. Com. has no objection.

**APPROVE PERMIT:**

Fill 760 sq. ft. of lakebed to construct 44 linear ft. of breakwater, in an "slight dogleg" configuration leaving a 6 ft. gap at the shoreline, construct a 6 ft. x 47 ft. cantilevered pier connected to a 6 ft. x 35 ft. piling pier by a 6 ft. 12 ft. walkway in a "U" configuration accessed by a 6 ft. x 6 ft. walkway, and drive 2 tie-off piles for the easterly slip on an average of 102 ft. of frontage on Rattlesnake Island, on Lake Winnepesaukee, in Alton.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated January 23, 2015, as received by the Department on March 16, 2015.
2. This permit shall not be effective until it has been recorded with the County Registry of Deeds office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau by certified mail, return receipt requested, prior to construction.
3. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized.
4. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
6. No portion of breakwater as measured at normal full lake shall extend more than 50 feet from normal full lake shoreline.
7. The breakwater shall not exceed 3 feet in height(Elev. 507.32) over the normal high water line(Elev. 504.32).
8. The width as measured at the top of the breakwater(Elev. 507.32) shall not exceed 3 feet. 9. This facility is permitted with the condition that future maintenance dredging, if needed, shall not be permitted more frequently than once every 6 years, and that a new permit shall be required for each dredge activity.
10. The owner understands and accepts the risk that if this facility requires dredging to maintain a minimum slip depth of 3 feet, more frequently than once every 6 years, or is shown to have an adverse impact on abutting frontages, it shall be subject to removal.
11. The minimum spacing for pile bents shall be 12 feet as measured center pile to center pile.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, per RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(j), construction of a breakwater.
2. The construction of a breakwater to provide safe docking at this site is justified in accordance with Rule Env-Wt 402.07, Breakwaters.

3. The applicant has an average of 102 feet of frontage along Lake Winnepesaukee, Alton.
4. A maximum of 2 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
5. The proposed docking facility will provide 2 slips as defined per RSA 482-A and therefore meets Rule Env-Wt 402.13.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.
7. The applicant provided notarized abutter permission for that portion of the breakwater toe of slope located within the abutter's 20 foot setback to the imaginary extension of the property line.

-Send to Governor and Executive Council-

**2015-00621                      TULLEY, BRIAN/KARA**  
**GILFORD   Lake Winnepesaukee**

**Requested Action:**

Replace a wooden boat ramp with 6 ft. wide stairs in the bank, install two seasonal personal watercraft lifts and a seasonal boatlift, repair a crib supporting a "T" shaped crib dock protected by a breakwater, replace walkway for dock access with 6 ft. wide stairs, install a permanent boatlift and 14 ft. x 30 ft. seasonal canopy within an "U" shaped crib dock consisting of two 6 ft. x 40 ft. 6 in. piers connected by a 12 ft. 5 in. walkway that is to be repaired, and break up a larger boulder on approximately 117 feet of shoreline frontage along Lake Winnepesaukee, in Gilford.

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**Conservation Commission/Staff Comments:**

03/16/2015 Con Com requests a "hold" until they can review the application at their next meeting. They may also conduct a site inspection.

3/24/2015 Con. Com. voted to recommend approval of the application as submitted with standard conditions.

**APPROVE PERMIT:**

Replace a wooden boat ramp with 6 ft. wide stairs in the bank, install two seasonal personal watercraft lifts and a seasonal boatlift, repair a crib supporting a "T" shaped crib dock protected by a breakwater, replace walkway for dock access with 6 ft. wide stairs, install a permanent boatlift and 14 ft. x 30 ft. seasonal canopy within an "U" shaped crib dock consisting of two 6 ft. x 40 ft. 6 in. piers connected by a 12 ft. 5 in. walkway that is to be repaired, and break up a larger boulder on approximately 117 feet of shoreline frontage along Lake Winnepesaukee, in Gilford.

**With Conditions:**

1. All work shall be in accordance with plans by Watermark Marine Construction dated March 6, 2015, as received by the NH Department of Environmental Services (DES) on March 18, 2015.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain in place until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. The seasonal boat lift and seasonal personal watercraft lifts shall be removed for the non-boating season.
10. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.

11. This permit does not allow dredging for any purpose. Fragments of the boulder to be broken shall remain where they fall.
12. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a major impact project per Administrative Rule Env-Wt 303.02 (d) modification of a docking system that provides for 5 boat slips and is associated with a breakwater.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed modification to the docking facility will not provide additional slips as defined per Rule Env-Wt 101.09 Boat slip.
6. Public hearing is waived with the finding that the project impacts will not significantly impair the resources of Lake Winnepesaukee.

-Send to Governor and Executive Council-

**MINOR IMPACT PROJECT**

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**2014-01802                      LOUISE M KELLEY LIFE ESTATE**  
**DOVER   Piscataqua River**

**Requested Action:**

An amendment request received on April 2, 2015, requested an additional 120 sq. ft. of upland tidal buffer zone to construct a 18' x 24' garage instead of a 18' x 18' garage and reduce 115 sq. ft. of upland tidal buffer zone impact for construction of a gravel drive.

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**APPROVE AMENDMENT:**

Impact a total of 4,495 sq. ft. of previously developed upland tidal buffer zone for the replacement of an existing seawall, removal of an existing shed and garage, construction of a new garage, and construction of a gravel driveway.

**With Conditions:**

1. AMENDED: All work shall be in accordance with plans by McEneaney Survey Associates, Inc. and West Environmental, Inc. dated February 11, 2015, as received by the NH Department of Environmental Services (DES) on April 2, 2015.
2. All work shall take place from the upland and no equipment shall be located within tidal wetland areas.
3. All materials removed from the existing retaining wall shall be removed outside of DES jurisdiction.
4. A NH certified wetlands scientist shall supervise construction to minimize impacts to aquatic resources.
5. Siltation/turbidity barrier shall be installed throughout the duration of construction to protect from the occurrence of sedimentation during tidal cycles.
6. All temporary work areas shall be restored to original condition following completion of construction.
7. Coastal staff shall be notified in writing prior to commencement of work and upon its completion. Notification may be via e-mail to David Price at David.Price@des.nh.gov.
8. Any future work in jurisdiction as specified in RSA 482-A on this property will require further approval by the Department of Environmental Services ("DES") Wetlands Bureau.
9. CORRECTED: This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee.



A copy of the recorded permit shall be submitted to the DES Wetlands Bureau prior to construction.

10. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in until the area is stabilized.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. Work shall be done during low tide.

13. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.

14. Work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.

15. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.

16. Faulty equipment shall be repaired prior to entering jurisdictional areas.

17. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

18. All refueling of equipment shall occur outside of surface waters or wetlands.

#### ADDITIONAL CONDITION:

19. No more than 21.17% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

#### With Findings:

DES reaffirms finding no.'s 1 - 6:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(b), projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02.

2. The need for the proposed impacts has been demonstrated by the applicant per Wt 302.01. The applicant has provided evidence that the existing wall is in disrepair and is no longer functional.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Wt 302.03. The applicant is replacing an existing seawall within the same general footprint. Further, the applicant is removing an existing shed and garage both within 10 ft. of the reference line.

4. The applicant has demonstrated by plan and example that each factor listed in Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project. 5. NH Natural Heritage Bureau (NHB) has record of a sensitive species within the vicinity of the project, but NHB does not expect impacts to the species by the project.

6. The Dover Conservation Commission recommended approval of the application.

#### ADDITIONAL FINDINGS

7. The permittee is providing a stormwater infiltration system for the proposed garage.

8. The proposed amendment increased the impervious area by 5 sq. ft., but the total impervious area within the Shoreland zone is reduced by 313 sq. ft.

9. The Dover Conservation Commission recommended approval of the requested amendment.

**2015-00098**                      **AMERIGAS PROPANE LP**  
**CLAREMONT**   Sugar River

#### Requested Action:

Dredge and fill 5,670 sq. ft. (including 5,070 sq. ft. temporary impact) of delineated wetland and shoreline for removal and stabilization of soils and sediment impacted by Manufactured Gas Plant (MGP) residual byproduct in the form of coal tar Non-Aqueous Phase Liquid (NAPL) under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965. The project includes dredging and restoring an approximately 25-foot x 80-foot section of the Sugar River, a section of the river bank, and a small floodplain wetland area (~8,000 sq. ft.).

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**APPROVE PERMIT:**

Dredge and fill 5,670 sq. ft. (including 5,070 sq. ft. temporary impact) of delineated wetland and shoreline for removal and stabilization of soils and sediment impacted by Manufactured Gas Plant (MGP) residual byproduct in the form of coal tar Non-Aqueous Phase Liquid (NAPL) under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965. The project includes dredging and restoring an approximately 25-foot x 80-foot section of the Sugar River, a section of the river bank, and a small floodplain wetland area (~8,000 sq. ft.).

**With Conditions:**

1. All work shall be in accordance with plans by GEI Consultants for AmeriGas dated 08/05/2014, as received by the Department on January 15, 2015, and plans dated March 19, 2015 received by the Department on April 27, 2015.
2. This permit is contingent upon review and approval from the DES Waste Management Division.
3. This permit is contingent upon review and coordination with the DES Watershed Management Bureau's Water Quality Planning Section.
4. This permit is contingent on provision of a finalized landowner (City of Claremont) agreement submitted to NHDES Wetlands Bureau file #2015-0098 before the start of construction.
4. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
5. There shall be no excavation or operation of construction equipment in flowing water.
5. Work shall be done during low flow/ low water or drawdown conditions. A final dewatering plan shall be submitted to NHDES for review prior to implementation and start of work.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
9. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
10. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
15. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species.
16. Only native plant species appropriate to the area shall be planted.
17. The permittee shall designate a qualified professional who will be responsible for monitoring and ensuring that the project and restoration areas are constructed in accordance with the approved plans. Monitoring shall be accomplished in a timely fashion and remedial measures taken if necessary. The DES Wetlands Bureau shall be notified in writing of the designated professional prior to the start of work and if there is a change of status during the project.
18. A post-construction report including photographs documenting the status of the completed construction shall be submitted to the DES Wetlands Bureau within thirty (30) days of the completion of construction.
19. Wetland soils from areas vegetated with purple loosestrife (*Lythrum salicaria*) shall not be used in the wetland restoration site. The potential for the establishment of the invasive species should be considered in other areas where spoils may be spread to limit its further establishment.

20. The permittee shall attempt to control invasive, weedy species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*) by measures agreed upon by the DES Wetlands Bureau if the species is found in the stabilization areas during the early stages of vegetative establishment.
21. Wetland restoration shall not be considered successful if sites are newly invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The applicant shall work with DES to attempt to eradicate nuisance species newly found along the pipeline right-of-way during this same period.
22. Wetland and bank restoration areas shall have at least 75% successful establishment of wetlands vegetation/bank after two (2) growing seasons, or shall be replanted and re-established in a manner satisfactory to the DES Wetlands Bureau.

**With Findings:**

1. This is a Minor impact project per Administrative Rule Env-Wt 303.03 (h), Projects involving less than 20,000 square feet of alteration in the aggregate in nontidal wetlands, nontidal surface waters, or banks adjacent to nontidal surface waters which exceed the criteria of Env-Wt 303.04(f).
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project will be performed under the EPA Comprehensive Environmental Recovery Compensation and Liability Act (CERLA) Case ID# NHN000105965.
3. A Memorandum of Understanding had been signed by the SHPO, the EPA Regional Administrator, the Commissioner of the NHDES, and the City of Claremont.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has provided a waiver request per Env-Wt 204.03, to waive the delineation of wetland boundaries as required per Env-Wt 301.01(g).
6. The wetlands to be impacted consist of the bank of Sugar River and an associated local floodplain area.
7. The wetlands and bank were delineated by ecologists/scientist and restoration specialists but the plans are not stamped by a certified wetland scientist.
8. The delineators provided documentation of their experience.
9. The entire project is for restoration and site remediation.
10. The jurisdictional work includes a section of river bank work which would not be identified as part of a wetland delineation.
11. There will be no adverse effect to the environment or natural resources of the state, public health, or public safety; or on abutting properties that is more significant than that which would result from complying with the Env-Wt 301.01.
12. The waiver is granted in accordance with Env-Wt 204.04(b), as strict compliance with the rule will provide no benefit to the public and will cause an operational or economic hardship to the applicant.
13. The department has not received any abutter or public comments in objection to the proposed project.
14. The Natural Heritage Bureau review indicated the presence of a rare wildlife, plant, and/or natural community in the vicinity of the project area, although it is not expected to be impacted by the proposed project (letter dated 8/11/14).
15. This is a United States Environmental Protection Agency (EPA) required Removal Action under the Comprehensive Environmental Recovery Compensation and Liability Act (CERLA), case ID #NHN000105965.
16. The Applicant has obtained a Memorandum of Understanding for the project which has signed by SHPO, the EPA Regional Administrator, the Commissioner of the NHDES, and the City of Claremont (City Manager and Chair of the Historic District Commission).

**2015-00575                      SPINDLE POINT REALTY TRUST**  
**MEREDITH   Lake Winnepesaukee**

**Requested Action:**

**Replace approximately 60 linear feet of natural shoreline with retaining wall along on Lake Winnepesaukee, in Meredith.**

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

**3-17-15 - No historic properties affected per DHR.**

**DENY PERMIT:**

Replace approximately 60 linear feet of natural shoreline with retaining wall along on Lake Winnepesaukee, in Meredith.

**With Findings:**

**Standards for Approval**

1. This is a Minor Impact Project per NH Code of Administrative Rule Env-Wt 303.03 (k), projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond.
2. Pursuant to per Rule Env-Wt 302.01, the need for the proposed impacts shall be demonstrated by the applicant prior to department approval of any alteration of nontidal wetlands.
3. The applicant must provide evidence which demonstrates that their proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
5. The applicant must demonstrate by plan and example that each factor listed in Rule Env-Wt 302.04(a), Requirements for Application Evaluation, has been considered in the design of the project.
6. In accordance with Rule Env-Wt 302.04, (d), the Department shall not grant a permit if the applicant fails to document that the proposed alternative is the one with the least adverse impact to areas and environments under the department's jurisdiction, or if the applicant proposes unnecessary destruction of wetlands.
7. In accordance with Rule Env-Wt 404.01, Least Intrusive Method, shoreline stabilization shall be by the least intrusive but practical method.
8. In accordance with Rule Env-Wt 404.05, Walls, (a), (1), walls shall be permitted only where lack of space or other limitations of the site make alternative stabilization methods impractical.
9. In accordance with Rule Env-Wt 404.05, (a), (4), applications for walls adjacent to great ponds or water bodies where the state holds fee simple ownership shall include a stamped surveyed plan showing the location of the normal high water shoreline and the footprint of the proposed project.
10. In accordance with RSA 482-A:3, I(b), The application fee for shoreline structure projects shall be \$200 plus an amount based on the area of dredge, fill, or dock surface area proposed, or a combination thereof, which shall be \$2 per square foot for permanent dock surface area; \$1 per square foot for seasonal dock surface area; and \$.20 per square foot for dredge or fill surface area or both.

**Findings of Fact**

1. On March 13, 2015, the Department received an application to replace approximately 60 linear feet of natural shoreline along Lake Winnepesaukee on property identified as lot 25 on Meredith tax map U28, with a retaining wall.
2. The response to item 3 on the application, Project Description, proposes to repair approximately 35 linear feet of existing wall.
3. A scale placed on the plan submitted with the application indicates a wall of approximately 60 linear feet in length rather than the described 35 ft. wall.
4. The application did not include a response to Env-Wt 302.04(a) which requires evidence of need for the proposed impacts. Information submitted to the file does not support the claim of a pre-existing wall nor is there evidence of shoreline instability.
5. The plan submitted with the application was not a stamped surveyed plan showing the normal high water shoreline and the footprint of the proposed project as would be required for any new retaining wall construction along a lake or pond.
6. The application was submitted with a fee of \$200. Additional impact fees related to the sq. ft. of impact associated with the construction of the wall were not submitted.

**Rulings in Support of Denial**

1. The applicant failed to submit a response to Env-Wt 302.04(a) as required, therefore the application is denied.
2. The applicant failed to submit stamped plans indicating the normal high water line and the proposed project, therefore the application is denied.
3. The applicant failed to submit evidence of an existing wall on this frontage. The proposal to construct a new wall where there is no evidence of need as required per Rule Env-Wt 302.04 is denied.
4. The applicant failed to submit the required fee for minor impact projects, therefore the application is denied.
5. The applicant failed to demonstrate the proposed project is the least impacting alternative, therefore in accordance with Env-Wt

302.04(d) and Env-Wt 404.01, the project is denied.

#### MINIMUM IMPACT PROJECT

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**2014-02914                      FORRENCE, KENNETH**  
**BELMONT   Winnisquam Lake**

**Requested Action:**

Repair retaining wall/docking structure and boathouse; both in-kind with no change in size, location, or configuration. See e-mail to Dave farley in the file.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

Con Com signed PBN form on 10/10/2014

**With Findings:**

In-kind repair of the wall/docking structure and boathouse both qualify for PBNs and both are combined in this PBN completeness decision.

See file for e-mail to Dave Farley.

**2015-00176                      THE MATTHEWSON COMPANIES INC**  
**HANCOCK**

**Requested Action:**

Dredge and fill 1,040 sq. ft. of wetland including 890 sq. ft. of forested wetland for fire pond construction and associated dry hydrant installation, and 150 sq. ft. of perennial stream to repair a driveway culvert outlet perched spillway.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 1,040 sq. ft. of wetland including 890 sq. ft. of forested wetland for fire pond construction and associated dry hydrant installation, and 150 sq. ft. of perennial stream to repair a driveway culvert outlet perched spillway.

**With Conditions:**

1. All work shall be in accordance with revised plans by Meridian Land Services, Inc. entitled Fire Pond Creation Plan dated November 7, 2014 as received by the Department on April 23, 2015.
2. All work shall be done during low flow conditions.
3. The round stone spillway at the existing perched culvert shall function to restore hydraulic connectivity upon completion and should not result in hyporheic flow condition.
4. The spillway shall be constructed with D50 6" diameter rounded stone and directed toward the centerline of the existing stream.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
8. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or

- other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
9. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond and adjacent to the stream channel.
  10. No vegetation is to be cut within 50 ft. of the shared lot line with Lot 10-53-4-1.
  11. Machinery shall be staged and refueled in upland areas.
  12. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands
  13. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
  14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
  15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
  16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
  17. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

**With Findings:**

1. The pond construction is a Minimum impact project per Env-Wt 303.04 (p) Construction of a pond with less than 20,000 sq. ft. of wetlands impact, provided: (1) None of the wetlands have very poorly drained soil as defined in Env-Ws 1002.84;(2) There are no streams into or out of the proposed pond site; (3) The project is not located in prime wetlands; and(4) The project does not meet the requirements of Env-Wt 303.02(k);
2. The perched culvert repair is a minimum impact project per Env-Wt 303.04(x)and 904.06(c) and meets the general criteria specified in Env-Wt 904.01.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The agent indicated that migration of the nearby stream toward the proposed fire pond is unlikely due to the entrenchment of the nearby stream. A planting plan was submitted with the application.
6. The proposed pond construction project is intended to provide wildlife habitat and a source of water for fire protection to the nearby residential structure.
7. The spillway installation at the perched culvert is intended to restore hydraulic connectivity.

**2015-00414                      AUDUBON SOCIETY OF NEW HAMPSHIRE  
NORTH SANDWICH   Unnamed Wetland**

**Requested Action:**

Retain 640 square feet of dredge and fill in wet meadow wetlands for the installation of a 160 foot long boardwalk that provides a public access to a wildlife viewing area.

\*\*\*\*\*

**APPROVE AFTER THE FACT:**

Retain 640 square feet of dredge and fill in wet meadow wetlands for the installation of a 160 foot long boardwalk that provides a public access to a wildlife viewing area.

**With Conditions:**

1. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The existing trail was an old roadbed. From around 1980 to the mid-2000's a short section of trail along an old roadbed provided visitors with wildlife viewing opportunities. The old roadbed no longer provided safe and reliable access by the mid 2000's due to beaver activity in the adjacent wetland.
6. The boardwalk provides handicap accessibility.
7. No comments were submitted from the Conservation Commission.
8. The NH Natural Heritage Bureau commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

2015-00477  
EXETER

LAMPERT, MICHAEL

**Requested Action:**

Relocate and restore approximately 22,630 square feet of impacts to a forested wetland and retain 2,295 square feet of impact for a gravel parking lot and appurtenant stormwater controls.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

See findings.

**APPROVE PERMIT:**

Relocate and restore approximately 22,630 square feet of impacts to a forested wetland and retain 2,295 square feet of impact for a gravel parking lot and appurtenant stormwater controls.

**With Conditions:**

1. All work shall be in accordance with plans by Eaglebrook Engineering & Survey, LLC dated February 26, 2015, as received by the NH Department of Environmental Services (DES) on March 3, 2015.
2. This approval is contingent upon the successful restoration of 22,630 square feet of wetlands as conditioned in the Restoration Plan Approval.
3. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.
4. DES Wetlands Bureau Southeast Region staff shall be notified in writing prior to commencement of work and upon its completion.
5. Work shall be done during seasonal low flow conditions.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading or temporary suspension of work, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

**With Findings:**

1. On November 4, 2014, DES received a Land Resources Management ("LRM") Complaint form from the Town of Exeter alleging site work occurring on Exeter Tax Map 47 Lot 1-1 (the "Property") that impacted wetlands and disturbed an area in excess of 100,000 square feet as a result of forestry activities, stump grubbing, and site grading. Following the review of the LRM Complaint form, DES issued an alleged violator letter to the property owner, 156 Epping Road, LLC, notifying them DES received the complaint.
2. On November 14, 2014, DES personnel inspected the Property and observed the following: a. An area in excess of 100,000 square feet had been forested, stumped, and graded without an approved alteration of terrain permit; b. A forested wetland complex bisects the Property from the northern boundary to the southern boundary had been impacted as a result of stumping, grading, and filling with gravel; c. A berm of stumps located parallel to the southern boundary of the property encroaches into the forested wetland; and, d. Siltation fencing had been placed at the northerly end of the fill area while staked hay bales and siltation fencing had been installed at the southerly, down gradient side of the impact area.
3. On December 10, 2014, DES issued a letter to the owner of the Property providing the results of the inspection and requested a plan quantifying the unauthorized impacts on the property to include, but not limited to, the total area forested, terrain alteration impacts, and jurisdictional wetland impacts by February 8, 2015.
4. On January 21, 2015, DES received an email from Eaglebrook Engineering & Survey with the requested plan quantifying the impacts. Approximately 26,556 square feet of wetlands had been impacted.
5. On January 22, 2015, DES sent an email to Eaglebrook outlining recommendations to proceed with the retention of a portion of the impacts to utilize the area for parking and storage.
6. On March 3, 2015, DES received a Wetlands Permit Application (the "Application") requesting to restore 22,630 square feet of impacted wetlands and retain 2,295 square feet of fill for gravel parking area and stormwater Best Management Practice's.
7. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
8. The impacts are necessary for additional parking; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
9. A majority of the impacts will be relocated and restored to provide continued hydrological connectivity and corridor conductivity for wildlife; therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
10. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
11. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.
12. No comments were submitted from abutters speaking for or against the project.
13. US EPA finds the project 'Eligible as Proposed' for the NH PGP.
14. The Exeter Conservation Commission is in support of the application.
15. NH DHR review of the project finds 'No Historic Properties Affected.'

2015-00603                      HANOVER SCHOOL DISTRICT SAU 70  
HANOVER   Girl Brook

**Requested Action:**

Dredge and fill 1,163 square feet of an intermittent stream as part of a project to improve parking and circulation at a school. Work in jurisdiction includes removing accumulated sediment and providing scour protection at existing pipe discharge locations, installing a catchbasin, and 574 square feet of temporary impacts.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 1,163 square feet of an intermittent stream as part of a project to improve parking and circulation at a school. Work in jurisdiction includes removing accumulated sediment and providing scour protection at existing pipe discharge locations, installing a catchbasin, and 574 square feet of temporary impacts.

**With Conditions:**



1. All work shall be done in accordance with plans by CLD Consulting Engineers entitled Bernice A Ray School: Parking and Circulation Improvement Project (sheets C131 and C132) as received by DES on April 28, 2015 and sheets C107-C111 as received by DES on March 16, and sheet C104 as received by DES on April 30, 2015.
2. This permit is contingent on approval by the DES Alteration of Terrain Program.
3. Work shall be done during periods of non-flow or in the dry.
4. Area of temporary impact shall be regraded to original contours following completion of work.
5. A 25 foot wide vegetative buffer along the stream shall be maintained.
6. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
9. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
12. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
13. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04 (n) Projects that alter the course of or disturb less than 50 linear feet, measured along the thread of the channel, of an intermittent nontidal stream channel or its banks provided construction is performed during periods of non-flow; Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant;
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The project proposes to improve pedestrian and vehicular circulation, provide additional parking, improve emergency access and replace failed stormwater drainage systems.
6. The agent stated that the wetland has developed as a result of urban runoff and flows and appears to be a manmade channel receiving runoff from the school and the adjacent residential neighborhood.
7. The agent stated that the stormwater elements proposed for the Ray School site redevelopment will reduce the impacts to Girl Brook and buffer runoff flows to be below the peak runoff for the existing site.
8. Plan revisions following a pre-application meeting included reducing the amount of rip-rap and using reinforced turf/vegetation to provide scour protection at the existing stormwater outlets.
9. There is an existing 12" clay sewer line at a depth of 4 to 4.5 feet below the existing stream channel. Work above or adjacent to the sewer line could damage the clay line.
10. A 25 foot wide vegetated buffer will be maintained along Girl Brook. The buffer will not be mowed more than twice annually.

11. The Hanover Conservation Commission indicated that they support the application as currently proposed. The Commission recommend, but does not insist, that the area on the west side of the driveway be maintained as a meadow to minimize the risk of erosion on the banks of Girl Brook due to uncontrolled sheet flow of stormwater from the driveway.
12. The applicant provided a letter from the owner of property located at Town of Hanover Tax Map 47 Block 8 Lot 1 waiving the NH Wetlands Bureau requirement of maintaining a 20 foot setback.
13. The NH Natural Heritage Bureau commented that although there was a NHB record present in the vicinity, they do not expect that it will be impacted by the proposed project.

## FORESTRY NOTIFICATION

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**2015-00996                      WILLIAM W CLEAVES TRUST**  
**MILFORD   Unnamed Stream**

Requested Action:  
Milford, Tax Map 3, Lot 12

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**2015-01008                      FADDEN, THOMAS**  
**WAKEFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wakefield, Tax Map #100, Lot #4

**2015-01014                      DEERFIELD, TOWN OF**  
**DEERFIELD   Unnamed Stream**

COMPLETE NOTIFICATION:  
Deerfield, Tax Map #424, Lot #s 26 & 27

**2015-01028                      BAYBUTT, CATHERINE/JAMES**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth, Tax Map #410, Lot#s 33,34,27,28,56

**2015-01033                      BARRON, DOUGLAS**  
**TAMWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Tamworth, Tax Map #410, Lot #57,58

**2015-01058                      NH DEPT OF RESOURCES & ECNMC DEV**  
**WENTWORTH   Unnamed Stream**

COMPLETE NOTIFICATION:  
Wentworth, Tax Map #13, Lot #s 4 & 5

**2015-01060                      GARLAND TRUST**  
**HARRISVILLE   Unnamed Stream**

Requested Action:  
Harrisville, Tax Map 50, Lots 7, 7-1, 15  
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#### EXPEDITED MINIMUM

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**2011-01591                      DECOLA, DICK**  
**GILFORD   Lake Winnepesaukee**

Requested Action:  
Amend permit to replace a seasonal boatlift with a permanent boatlift, add a 14 ft. x 30 ft. seasonal canopy, relocate one 3 pile ice cluster from the north to the south.  
\*\*\*\*\*

Conservation Commission/Staff Comments:  
Con Com signed Exp Application

#### APPROVE AMENDMENT:

Amend permit to read: Repair three, 3 piling ice clusters in front of a "U" shaped docking facility consisting of two 6 ft. x 25 ft. piling piers connected by a 24 ft. x 24 ft. piling supported walkway accessed by a 12 ft. by 22 ft. walkway, 2 tie off piles in the southerly slip, install a seasonal boatlift and a permanent boatlift adjacent to the docking structure, a 14 ft. x 30 ft. seasonal canopy, and 2 seasonal personal watercraft lifts along the shoreline, in Lake Winnepesaukee, in Gilford.

#### With Conditions:

1. All work shall be in accordance with plans by Folsom Design and Construction Management revision dated April 18, 2015, as received by the NH Department of Environmental Services (DES) on April 13, 2015.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas

shall be avoided.

9. Canopies shall be of seasonal construction type with a flexible fabric cover. The seasonal support frame shall be designed to be removed for the non-boating season. The flexible fabric cover shall be removed during all seasons of non-use.

10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This project is classified as a minor impact project per Rule Env-Wt 303.03(d), modification of a 3 slip permanent docking structure.

**2015-00388                      ARCADIA CAMPGROUND ASSOCIATION  
MOULTONBOROUGH   Unnamed Wetland**

**Requested Action:**

Proposal to dredge and fill 2,770 sq. ft. of forested wetlands for construction of an access road to a proposed community solar array. Work in wetlands consists of installation of one crossing with 3 culverts (includes 3-18 inch diameter culverts) and associated grading and filling.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission signed the application waiving their right to intervene.

**APPROVE PERMIT:**

Dredge and fill 2,770 sq. ft. of forested wetlands for construction of an access road to a proposed community solar array. Work in wetlands consists of installation of one crossing with 3 culverts (includes 1-30 inch diameter embedded culvert and 2-18 inch diameter culverts) and associated grading and filling.

**With Conditions:**

1. All work shall be in accordance with plans by McCourt Engineering Associates, PLLC dated 1/27/15 with sheets revised through 4/2/15, as received by the NH Department of Environmental Services (DES) on April 7, 2015.
2. This permit is contingent on approval by the DES Alteration of Terrain Bureau.
3. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.
4. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
5. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
6. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
10. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
11. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater

Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require further permitting by the Bureau.

13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.

14. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

15. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not

in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant

2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.

4. The applicant's agent has documented that this is the only available access to the property with minimal wetland impacts.

5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

6. The wetland crossing design was revised to include one oversized 30 inch diameter culvert (for a total of 3 culverts spaced out along the crossing) embedded 12 inches and added a natural stone outlet to help provide for improved wildlife passage opportunities.

7. On March 2, 2015, the department received a letter (dated February 23, 2015) from an abutter with concerns about the presented application/project.

8. The concerns consisted of incorrect abutter notification, timing of the wetland delineation, discrepancies with the culvert size and location, concern with road width, filter cloth use, discrepancy in the distance noted from wetland impacts to the property line and concern with the request of starting work ASAP (see file #2015-00388 for complete comments).

9. The department requested a response to the abutter's comments in the request for more information letter ("RFMI") issued to the applicant on March 20, 2015.

10. On April 7, 2015 the department received a complete response to the abutter's comments and remaining RFMI items (see file #2015-00388 for the detailed response).

11. The department has not received any further comments from the abutter.

12. The Conservation Commission signed the application waiving their right to intervene.

2015-00513

CLAREMONT, CITY OF

CLAREMONT

**Requested Action:**

Dredge and fill 2,900 sq. ft. of wetlands for 950 linear. ft. of Class VI roadway upgrade to Class V roadway. Wetland impacts include replacement of an existing 18" CMP with 18" HDPEP and construction of associated concrete headwall.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 2,900 sq. ft. of wetlands for 950 linear. ft. of Class VI roadway upgrade to Class V roadway. Wetland impacts include replacement of an existing 18" CMP with 18" HDPEP and construction of associated concrete headwall.

**With Conditions:**

1. All work shall be in accordance with plans by RJB Engineering, LLC dated September 9, 2014, as received by the Department on April 24, 2015.

2. All work shall be done in low flow conditions.
3. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
5. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
6. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
7. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
8. Proper headwalls shall be constructed within seven days of culvert installation. Per Env-Wt 304.07, Embankments adjacent to culverts and other stream crossings shall have appropriate slope protection, such as vegetated stabilization, rip-rap, or concrete or stone headwalls, where flowing water conditions exist.
9. Culverts shall be laid at original grade.
10. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired prior to construction.
11. Faulty equipment shall be repaired prior to entering jurisdictional areas.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
14. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 ft. of undisturbed vegetated buffer.
15. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

**With Findings:**

1. This is a Minimum impact project per Administrative Rule Env-Wt 303.04(f), Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
3. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The project is necessary to upgrade a Class VI road to a Class V road to meet town roadway specifications for access to Map 98/Lot 7 prior to proposed lot upgrade.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
5. The Conservation Commission signed the Minimum Impact Expedited Application.
6. No comments of concerns were submitted from the Conservation Commission.
7. The existing crossing structure consists of an 18" diameter CMP to be replaced with an 18" HDPEP with associated inlet headwall.
8. The approved plan set is stamped by a PE.

2015-00760  
LEMPSTER

SKEIE, DANIEL

**Requested Action:**

Dredge 5,280 sq. ft. (including 148' lin. ft.) of an existing pond to remove sediment and organic leaf layer to the original depth at dam outlet structure.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge 5,280 sq. ft. (including 148' lin. ft.) of an existing pond to remove sediment and organic leaf layer to the original depth at dam outlet structure.

**With Conditions:**

1. All work shall be in accordance with plans by Beaver Tracks, LLC entitled Expedited Wetland Application for Daniel Skeie dated March 23, 2015 and received by the Department on April 6, 2015.
2. This permit is contingent on approval by the DES Dam Safety Program.
3. All work shall be done in dry conditions.
4. Seed mix within the restoration area shall be a wetland seed mix appropriate to the area and shall be applied in accordance with manufacturers' specifications.
5. A qualified professional shall monitor the project during construction to assure it is constructed in accordance with the approved plans and narratives and to assure no water quality violations occur.
6. Appropriate erosion/siltation controls shall be installed prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to wetlands and surface waters.
9. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of twenty (20) feet of undisturbed vegetated buffer.
10. Precautions shall be taken to limit unnecessary removal of vegetation adjacent to the pond.
11. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
12. Machinery shall be staged and refueled in upland areas.
13. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands.
14. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
15. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
16. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.

**With Findings:**

1. This is a minimum impact project per Env-Wt 303.04(k), Maintenance dredging, when necessary to provide continued usefulness of nontidal drainage ditches, man-made ponds, and spillways, provided: (1) The work is done within the original bounds of a legally-constructed project; (2) The project is not located in or adjacent to prime wetlands; (3) The work does not exceed 20,000 square feet; and (4) For man-made ponds, the pond has not been abandoned as defined in Env-Wt 101.02.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
4. The project is intended to remove accumulated sediment from an existing pond and dam inlet structure.
5. The New Hampshire Natural Heritage Bureau (NHB) review indicated there are no recorded occurrences for sensitive species near this project area.
6. The Conservation Commission signed the Minimum Impact Expedited Application. No comments of concerns were submitted from the Conservation Commission.

**Requested Action:**

Construct a 750 sq. ft. perched beach with no more than 10 cubic yards of sand on Lake Winnepesaukee, Meredith.

\*\*\*\*\*

**APPROVE PERMIT:**

Construct a 750 sq. ft. perched beach with no more than 10 cubic yards of sand on Lake Winnepesaukee, Meredith.

**With Conditions:**

1. All work shall be in accordance with plans by Ames Associates dated March 09, 2015, as received by the NH Department of Environmental Services (DES) on April 08, 2015.
2. Dredged or excavated material shall be placed outside of the DES Wetlands Bureau jurisdiction.
3. Stone placed along the beach front for the purpose of retaining sand shall be placed above and/or landward of those rocks currently located along the normal high water line (Elevation 504.32). Those rocks existing at the normal high water line shall remain otherwise undisturbed such that the natural shoreline remains identifiable.
4. The steps installed for access to the water shall be located completely landward of the normal high water line.
5. No more than 10 cu. yd. of sand may be used and all sand shall be located above the normal high water line.
6. This permit shall be used only once, and does not allow for annual beach replenishment.
7. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
8. Re-vegetation of trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project shall begin at a distance no greater than 5 ft. landward from the beach area.
9. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and shall remain in place until the area is stabilized.
10. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(d), construction of a beach with less than 10 cubic yards of sand.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2015-00786                      STEVENSON, KIM**  
**LOUDON   Unnamed Wetland**

**Requested Action:**

Dredge and fill 1,230 sq. ft. of forested wetlands for a driveway crossing to a proposed building lot. Work in wetlands includes installation of two 18 in. x 20 ft. HDPE culverts and associated filling and grading.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

1. The Conservation Commission signed the application waiving their right to intervene.

**APPROVE PERMIT:**

Dredge and fill 1,230 sq. ft. of forested wetlands for a driveway crossing to a proposed building lot. Work in wetlands includes installation of two 18 in. x 20 ft. HDPE culverts and associated filling and grading.



**With Conditions:**

1. All work shall be in accordance with plans by Richard D. Bartlett & Associates, LLC dated March 9, 2015, and narratives by Stoney Ridge Environmental, LLC dated March 24, 2015, as received by the NH Department of Environmental Services (DES) on April 8, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau (if applicable).
3. Appropriate siltation/erosion/turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
5. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Within three days of final grading, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
7. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
8. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.
9. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any further alteration of areas on this property that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.
11. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid. Faulty equipment shall be repaired immediately.
12. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
13. All refueling of equipment shall occur outside of surface waters or wetlands.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The Town of Loudon Fire Chief will not allow a shared driveway due to public safety concerns.
4. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
5. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
6. The crossing design includes two culverts spaced across the wetland area.

**2015-00866                      ROSENBERG, JUDITH/KENNETH**  
**WOLFEBORO   Wentworth Lake**

**Requested Action:**

Construct 6 ft. x 7 ft. access steps in the bank adjacent to the existing docking structure on Lake Wentworth, Wolfeboro.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

**APPROVE PERMIT:**

Construct 6 ft. x 7 ft. access steps in the bank adjacent to the existing docking structure on Lake Wentworth, Wolfeboro.

**With Conditions:**

1. All work shall be in accordance with plans by Advantage NH Lakes dated March 25, 2015, as received by the NH Department of Environmental Services (DES) on April 17, 2015.
2. Stairs shall be constructed landward of the shoreline defined by the elevation of normal high water so as not to create land in public water.
3. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, shall be maintained during construction, and remain in place until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
4. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04 (m) Projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank and do not meet the criteria of Env-Wt 303.03 or Env-Wt 303.02.

2015-00924                      **PERKINS, RICHARD**  
**THORNTON   Unnamed Wetland**

**Requested Action:**

Dredge and fill 523 square feet of a palustrine emergent wetland for the construction of a driveway to a proposed single family residence. Work in jurisdiction includes the installation of a 15" culvert.

\*\*\*\*\*

**APPROVE PERMIT:**

Dredge and fill 523 square feet of a palustrine emergent wetland for the construction of a driveway to a proposed single family residence. Work in jurisdiction includes the installation of a 15" culvert.

**With Conditions:**

1. All work shall be done in accordance with plans by Stoney Ridge Environmental LLC entitled Proposed Conditions as received by DES on April 25, 2015.
2. Appropriate siltation/erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
3. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
4. The culvert shall be laid at original grade.
5. Proper headwalls shall be constructed within seven days of culvert installation.
6. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid prior to entering surface waters or wetlands. Faulty equipment shall be repaired prior to entering jurisdictional areas.
7. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. Where construction activities have been temporarily suspended within the growing season, all exposed soil areas shall be stabilized within 14 days by seeding and mulching.
11. Where construction activities have been temporarily suspended outside the growing season, all exposed areas shall be stabilized

within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

12. The contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Any future work on this property that is within the jurisdiction of the DES Wetlands Bureau as specified in RSA 482-A will require a new application and approval by the Bureau.

**With Findings:**

1. This is a Minimum Impact Project per Env-Wt 303.04 (f) Projects involving alteration of less than 3,000 square feet in swamps or wet meadows that are not in prime wetlands or do not meet the requirements of Env-Wt 303.02(k), provided that no previous department permit has placed restrictions on the property of the applicant.
2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04 Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant provided a letter from the Town of Thornton Board of Selectman authorizing the submission of an application to fill a portion of a small wetland within the Town of Thornton Right-of-Way.
6. The Conservation Commission signed the application waiving their right to intervene pursuant to RSA 482-A:11.
7. No comments were submitted from the NHFG Nongame and Endangered Wildlife Program or the Natural Heritage Bureau.

**GOLD DREDGE**

\*\*\*\*\*

**2015-00909                      FOWLER, STEVEN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Com

**2015-00952                      SPRAGUE, STEVEN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2015-01016                      MOSES, ADAM**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2015-01017                      HOPKINS, GALE**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con Com

**2015-01019                      SAWYER, JOHN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2015-01020                      DORVAL, JOHN**  
**(ALL TOWNS)   Unnamed Stream**

Conservation Commission/Staff Comments:  
cc: Bath Con. Com.

**2015-01021                      JANELLE II, THOMAS**  
**(ALL TOWNS)   Unnamed Stream**

#### TRAILS NOTIFICATION

\*\*\*\*\*

**2015-00762                      WARICK MANAGEMENT CO**  
**PITTSBURG   Unnamed Wetland**

COMPLETE NOTIFICATION:  
Pittsburg Tax Map C4 Lot 286

#### LAKES-SEASONAL DOCK NOTIF

\*\*\*\*\*

**2015-00968                      KENNEDY, ROBERT**  
**WAKEFIELD   Belleau Lake**

Requested Action:  
Installation of a seasonal docking structure.  
\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**2015-00970                      WOOD, WILLIAM**  
**SALEM   Captain Pond**

Requested Action:

Installation of a seasonal docking structure.

\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**2015-00971                      LEFEBVRE, MARK**  
**NOTTINGHAM   Pawtuckaway Pond**

Requested Action:

Installation of a seasonal docking structure.

\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**2015-01025                      DUPUIS, RICHARD**  
**NORTHWOOD   Jenness Pond**

Requested Action:

Installation of a seasonal docking structure.

\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**2015-01038                      BARRY, JOHN/KATHERINE**  
**BRIDGEWATER   Newfound Lake**

Requested Action:

Installation of a seasonal docking structure.

\*\*\*\*\*

COMPLETE NOTIFICATION:

Installation of a seasonal docking structure.

**ROADWAY MAINTENANCE NOTIF**

\*\*\*\*\*

2015-01009

NH DEPT OF TRANSPORTATION

GILFORD Unnamed Wetland

COMPLETE NOTIFICATION:  
Replace 15" x 40', replace 24" x 50' and replace 24" x 55' all in-kind. Also clean out outlet end of 15" culvert.

2015-01011

NH DEPT OF TRANSPORTATION

MEREDITH Unnamed Wetland

COMPLETE NOTIFICATION:  
Extending inlet and outlet of the 15"x40' by one 4' section on each side.

2015-01012

NH DEPT OF TRANSPORTATION

LACONIA Unnamed Wetland

COMPLETE NOTIFICATION:  
Replace 15" x 60' CMP with pipe.

2015-01023

NH DEPT OF TRANSPORTATION

CHATHAM Unnamed Wetland

COMPLETE NOTIFICATION:  
1. Replace 12" x 45' with a 15" x 50' pipe.  
2. Replace 15" X 35' with an 18" x 45' pipe.

PERMIT BY NOTIFICATION

\*\*\*\*\*

2015-01002

ROWINSKI, ROBERT

ALTON Lake Winnepesaukee

Requested Action:  
Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated April 28, 2015.  
\*\*\*\*\*

PBN IS COMPLETE:  
Maintenance, repair, and replacement in-kind of existing docking structures, provided no change in location, configuration, construction type, or dimensions is proposed in accordance with plans dated April 28, 2015.

**CSPA PERMIT**

\*\*\*\*\*

**2014-02541                      ROMNEY, ANN**  
**WOLFEBORO   Lake Winnepesaukee**

**Requested Action:**

**Amendment Description: Owner proposes to construct a boathouse and reduce the patio and walkway area.**

\*\*\*\*\*

**APPROVE AMENDMENT:**

**Revised plans. Impact 22,073 sq ft in order to construct a new home, move existing driveway and add pervious pavers to a portion of the driveway.**

**With Conditions:**

- 1. All work shall be in accordance with revised plans by Beckwith Builders, Inc. dated April 23, 2015 and received by the NH Department of Environmental Services (DES) on May 6, 2015**
- 2. No more than 26.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.**
- 3. All pervious technologies used shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.**
- 4. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.**
- 5. At least 3,607 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).**
- 6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.**
- 7. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.**
- 8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.**
- 9. Any fill used shall be clean sand, gravel, rock, or other suitable material.**
- 10. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.**

**2015-00335                      MCMAHON, BENJAMIN**  
**NOTTINGHAM   Pawtuckaway Pond**

**Requested Action:**

**Request name change to Benjamin McMahon to impact 7,330 sq ft in order to replace a non-conforming cottage with a new more nearly conforming house and septic system.**

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**APPROVE NAME CHANGE:**

**Change name to Benjamin McMahon PO Box 1391 Raymond, NH 03077 to impact 7,330 sq ft in order to replace a non-conforming cottage with a new more nearly conforming house and septic system.**

**With Conditions:**

- 1. All work shall be in accordance with plans by Blaisdell Survey, LLC dated January 8, 2015 and received by the NH Department of Environmental Services (DES) on February 11, 2015.**
- 2. This permit is contingent on approval by the DES Subsurface Systems Bureau.**
- 3. No impacts to natural ground cover or native vegetation shall occur beyond the area marked on the plan as Edge of Temporary**

Impact and 5' Wide Impact Line to Well.

4. All temporary disturbed areas shall be restored with native vegetation.

5. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

6. The proposed stormwater management plan shall be designed, installed and maintained to effectively absorb and infiltrate stormwater.

7. At least 2,095 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

8. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized. 10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.

12. Any fill used shall be clean sand, gravel, rock, or other suitable material.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2015-00620                      HOPKINS, SUSAN  
SALEM   Arlington Pond

**Requested Action:**

Impact 12,000 sq ft in order to raze an existing single family home and construct a single family home with associated parking, detached garage and driveway, septic system, and well.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 12,000 sq ft in order to raze an existing single family home and construct a single family home with associated parking, detached garage and driveway, septic system, and well.

**With Conditions:**

1. All work shall be in accordance with plans by Benchmark Engineering Inc. revision dated April 29, 2015, as received by the NH Department of Environmental Services (DES) on April 29, 2015.

2. All actions associated with the installation of the proposed septic system are contingent on approval by the DES Subsurface Systems Bureau.

3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

4. No more than 62.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.

5. The underground drainage system shall be installed prior to the expansion of the primary structure. Photographs documenting its installation shall be submitted to the Department within 30 days of the onset of the construction of any new portion of the expanded primary structure.

6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or



contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.  
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

**2015-00764                      THE LYON KING REALTY TRUST  
WOLFEBORO   Lake Winnepesaukee**

**Requested Action:**

Impact 20,857 sq ft in order to raze existing structures and construct a new house with attached garage, reconfigure paths, driveway, and install a new individual sewage disposal system.

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**APPROVE PERMIT:**

Impact 20,857 sq ft in order to raze existing structures and construct a new house with attached garage, reconfigure paths, driveway, and install a new individual sewage disposal system.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey & Engineering dated May 5, 2015 and received by the NH Department of Environmental Services (DES) on May 5, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 26.4% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 3,670 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-00818                      KENNEL FAMILY REVOCABLE TRUST OF 2011  
GILFORD   Lake Winnepesaukee**

**Requested Action:**

Impact 2,061 sq ft in order to remove a shed from the waterfront buffer, construct a cabana 14'9" from the reference line, remove portions of retaining wall and walkway with an overall 173 sq ft reduction in impervious surface coverage within the waterfront buffer.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

4/28/15 Con Com voted to approve the shoreland application.

**APPROVE PERMIT:**

Impact 2,061 sq ft in order to remove a shed from the waterfront buffer, construct a cabana 14'9" from the reference line, remove portions of retaining wall and walkway with an overall 173 sq ft reduction in impervious surface coverage within the waterfront buffer.

**With Conditions:**

1. All work shall be in accordance with plans by Misiaszck Turpin, PLLC dated March 30, 2015 and received by the NH Department of Environmental Services (DES) on April 13, 2015.
2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than 21.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 6,264 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. The existing nonconforming accessory structure is located within 14ft 9in of the reference line of the Lake Winnepesaukee, and therefore, fails to conform to the setback restriction set forth in Env-Wq 1405.04 of the New Hampshire Code of Administrative Rules.
2. The owner has requested a waiver to the rule Env-Wq 1405.04.
3. The owner has proposed the removal of an accessory structure and rebuild a new structure at the same distance.
4. The owner proposes to reduce the impervious surface coverage by 173 sq ft.
5. The project as proposed will result in a decrease in impervious surface area and therefore, is more nearly conforming.

**2015-00878                      GIROUX, CHADWICK/VICKI**  
**TUFTONBORO   Lake Winnepesaukee**

**Requested Action:**

Impact 14,368 sq ft in order to relocate existing cottage and provide a new house with garage and new effluent disposal system to service both structures. Rework driveway and remove three existing storage buildings and pump house.

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**APPROVE PERMIT:**

Impact 14,368 sq ft in order to relocate existing cottage and provide a new house with garage and new effluent disposal system to service both structures. Rework driveway and remove three existing storage buildings and pump house.

**With Conditions:**

1. All work shall be in accordance with plans by Folsom Design Group dated March 19, 2015 and received by the NH Department of Environmental Services (DES) on April 17, 2015.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
4. No more than 17.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 4,358 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**2015-00886                      NH DRED**  
**BERLIN   Jericho Lake**

**Requested Action:**

Impact 9,600 sq ft in order to replace existing bath house and office building at Jericho Mountain State Park with a new improved building in a similar location.

\*\*\*\*\*

**APPROVE PERMIT:**

Impact 9,600 sq ft in order to replace existing bath house and office building at Jericho Mountain State Park with a new improved building in a similar location.

**With Conditions:**

1. All work shall be in accordance with plans by Fieldstone Land Consultants, PLLC dated March 31, 2015 and received by the NH Department of Environmental Services (DES) on April 20, 2015.

2. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
3. No more than .3% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
4. At least 162,500 sq ft of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

#### UTILITY NOTIFICATION

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**2015-01029                      EVERSOURCE ENERGY**  
**BERLIN    Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2015-00053 for fee amount.

COMPLETE NOTIFICATION:  
Maintenance on the W-179 transmission line.

**2015-01031                      EVERSOURCE ENERGY**  
**DUMMER    Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2015-00053 for fee amount.

COMPLETE NOTIFICATION:  
Maintenance on the W-179 transmission line.

-Send to Governor and Executive Council-

**2015-01032                      EVERSOURCE ENERGY**  
**MILAN   Unnamed Wetland**

Conservation Commission/Staff Comments:  
See file 2015-00053 for fee amount.

COMPLETE NOTIFICATION:  
Maintenance on the W-179 transmission line.

#### **EMERGENCY AUTHORIZATION**

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**2014-03522                      NH DEPT OF TRANSPORTATION**  
**RYE**

Requested Action:  
Emergency authorization to access the ocean side of Rte. 1A, remove rip rap blocking flow and clean out the 18 in. culvert.  
\*\*\*\*\*

CONFIRM EMERGENCY AUTHORIZATION:  
Emergency authorization to access the ocean side of Rte. 1A, remove rip rap blocking flow and clean out the 18 in. culvert.

With Conditions:  
1. Any further alteration of areas that are within the jurisdiction of the DES Wetlands Bureau will require a new application and further permitting by the Bureau.

With Findings:  
1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o), projects deemed minimum impact by the department based on the degree of environmental impact. In this instance the work resulted in the temporary disturbance of the resource.  
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.  
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.  
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

